

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2008-357-E - ORDER NO. 2009-10  
JANUARY 15, 2009

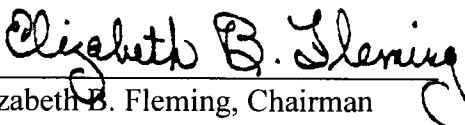
IN RE: Ann Mathis,	)	ORDER DISMISSING
Complainant/Petitioner	)	COMPLAINT
	)	
vs.	)	
	)	
Duke Energy Carolinas, LLC,	)	
Defendant/Respondent	)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the motion of Duke Energy Carolinas, LLC (“Duke”) to dismiss the above-referenced complaint. On or about November 26, 2008, this Commission issued Order No. 2008-772, which held in abeyance Duke’s motion to dismiss the complaint and allowed the Complainant the opportunity to respond to Duke’s motion to dismiss and verified supporting documentation. The order specified that the Complainant should, within ten days after service of Order No. 2008-772, file any response to the motion for dismissal, and further informed the Complainant that if she failed to file any such response within the specified time, the motion could be granted as unopposed.

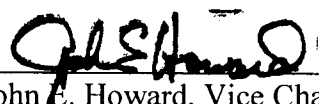
To date, the Complainant has not filed any response to the motion. On the other hand, Duke has verified its allegations by affidavit filed November 5, 2008. As the Complainant has had ample opportunity to file a response to the motion to dismiss, but has failed to do so, the Commission deems the motion unopposed and grants the relief sought. The Complaint is hereby dismissed.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
Elizabeth B. Fleming, Chairman

ATTEST:

  
John E. Howard, Vice Chairman  
(SEAL)